

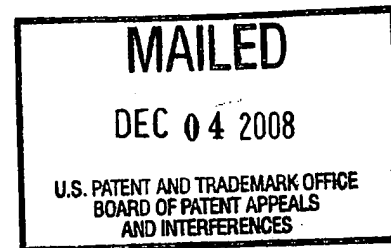
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROLAND M. HOCHMUTH, JOHN MARKS
and ROBERT P. MARTIN

Application 09/941,254
Technology Center 2400

Mailed: December 4, 2008



Before, KRISTA ZELE, *Deputy Chief Appeals Administrator*.

ZELE, *Deputy Chief Appeals Administrator*.

ORDER VACATING RETURN

On November 18, 2008, an Order Returning Undocketed Appeal was mailed stating that the Appeal Brief filed November 6, 2007, Grounds of Rejection and Arguments were not satisfied per the *Manual of Patent Examining Procedure* (MPEP) § 1205.02 (8th ed. Rev. 6, Sept. 2007). A further review of the Appeal Brief indicates the Order Returning Undocketed Appeal was mailed in error.

Accordingly, it is

ORDERED that the Order Returning Undocketed Appeal mailed November 18, 2008, is hereby vacated.

The application will be assigned an Appeal No. and will be assigned to a merit panel in due course.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/mtv

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